

**James Madison to Martin Van Buren, May 13, 1828.
Transcription: The Writings of James Madison,
ed. Gaillard Hunt. New York: G.P. Putnam's Sons,
1900-1910.**

TO MARTIN VAN BUREN. MAD. MSS.

May 13 1828

Dr. Sir, Perceiving that I am indebted to you for a Copy of the Report to the Senate relating to the "Colonization of persons of Colour" I return the thanks due to your politeness. The Document contains much interesting matter, and denotes an able hand in the preparation of it. I find it more easy however, to accede to its conclusion agst. the Power claimed for Congs. than to some of the positions & reasonings employed on the occasion.

You will not I am sure, take it amiss if I here point to an *error of fact* in your "observations on Mr. Foot's amendment."¹ It struck me when first reading

¹ The speech was on the right of the Vice-President to call a senator to order for words spoken in debate. He said: ". . . But the leading division in the Convention was between those who, distrustful of the States, sought to abridge their powers, that those of the new government might be enlarged; and those who, on their part, distrustful, perhaps jealous of the government about to be created, were as strenuous to retain all powers not indispensably necessary to enable the federal government to discharge the specified and limited duties to be imposed upon it."— *Substance of Mr. Van Buren's observations on Mr. Foot's amendment to the Rules of the Senate*. Washington, 1828.

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them, but escaped my attention when thanking you for the copy with which you favored me. The *threatening contest* in the Convention of 1787 did not, as you supposed, turn on the degree of power to be granted to the Federal Govt. but on the rule by which the States should be represented and vote in the Govt.; the smaller States insisting on the rule of equality in all respects; the larger on the rule of proportion to inhabitants; and the compromise which ensued was that which established an equality in the Senate, and an inequality in the House of Representatives.

The contests & compromises turning on the grants of power, tho' very important in some instances, were Knots of a less "Gordian" character.